

Meeting Notice

Date Notice Posted: October 3, 2008

City of East Providence

City Council Meeting

Date of Meeting: Tuesday, October 7, 2008

Time of Meeting: 7:30 p.m.

Location of Meeting:

City Hall, Council Chambers

145 Taunton Avenue

East Providence, RI 02914

CITY OF EAST PROVIDENCE

RHODE ISLAND

DOCKET OF REGULAR COUNCIL MEETING

OCTOBER 7, 2008

7:30 P.M.

I. CALL TO ORDER

II. INVOCATION

III. SALUTE TO THE FLAG

TO APPROVE THE CONSENT CALENDAR

All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

IV. CONSENT CALENDAR

A. APPROVAL OF COUNCIL JOURNALS

August 19, 2008 – Regular Meeting

September 2, 2008 – Regular Meeting

B. WRECKER/TOWER

East Providence Towing, Inc., 482 Waterman Avenue (02914)

C. WRECKER/TOWER

East Providence Recovery & Towing, LLC, 101 Commercial Way
(02914)

D. CANCELLATION/ABATEMENTS (Requested by Tax Assessor)

YEAR	AMOUNT
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2208

\$1,803.38

Total

\$1,803.38

CITY COUNCIL SITTING AS LICENSING COMMISSIONERS

V. LICENSES REQUIRING PUBLIC HEARING

1. CLASS A RETAIL (CHANGE OF LOCATION) (Subject to approvals from the Chief of Police, Building Inspector, State Division of Taxation, and Fire Marshall)

Liquor Depot East Providence, Inc., d/b/a Wine & Spirits Depot, 1925 Pawtucket Avenue (02914)

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

2. ENTERTAINMENT (Subject to approvals from the Chief of Police, Building Inspector, Zoning Officer, and Fire Marshall)

Casa Brasil, LLC, d/b/a Casa Brasil, 543-545 North Broadway (02914)

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

**LICENSING COMMISSIONERS RESUME SITTING AS CITY COUNCIL
VI. PUBLIC HEARING**

**ORDINANCES – FINAL PASSAGE (Given First Passage September 16,
2008 Advertised – Prov. Journal – September 19, 2008.)**

**1. The following is an ordinance amendment regarding removal of
stop sign on Wilson Avenue at Duncan.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“VEHICLES AND TRAFFIC”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

**SECTION I. Sec. 18-269 entitled “Stop and yield intersections
designated; when stops required.” is amended by deleting therefrom
the following:**

WILSON AVENUE (northbound traffic) at Duncan Road.

SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Councilman Cusack)

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

2. The following is an ordinance amendment regarding Handicapped parking on Walnut Street in front of house number 25-27.

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“VEHICLES AND TRAFFIC.”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

**SECTION I. Article X entitled “Stopping, Standing and Parking.” of
Chapter 18 of the Revised Ordinances of the City of East Providence,
Rhode Island, 1998, as amended, entitled “Vehicles and Traffic.”
Subsection 18-315 entitled “Reserved parking
designated–Handicapped parking.” is amended by adding thereto the**

following:

WALNUT STREET in front of house number 25-27

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Public Works)

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

ORDINANCES – ZONING (Advertised Providence Journal – September 19, 26 and October 3, 2008.)

1. The following is a zoning ordinance regarding Portable Storage Containers.

**AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED “ZONING”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

SECTION I. Section 19-1 entitled “Definitions” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, is amended by adding thereto the following:

Portable Storage Container means any self-storage container larger than 350 cubic feet designed for temporary storage of household goods, personal property and other items which is typically rented to owners or occupants of real property for their temporary storage use and which is delivered and/or removed by truck trailer, and which shall be no larger than twenty (20) feet in length, eight (8) feet in width and eight and one-half (8 1/2) feet in height.

SECTION II. Subsection (b) of Section 19-5 entitled “Zoning officer responsibilities” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, is amended to read as follows:

(b) The zoning officer shall:

- 1. Issue zoning certificates and zoning permits;**
- 2. Review and approve for zoning compliance, building permits and certificates of occupancy;**
- 3. Collect requires fees for variances, modifications (which shall be the same filing fee as variance petitions), special use permits, and appeal applications;**
- 4. Receive and review for proper form, all applications for variances, special use permits, and appeals, and shall have authority to administratively approve modifications from the dimensional standards of Sec. 19—145 for structures, except for maximum height**

of building (story and feet), provided the deviation is not more ten percent (10%), and further provided that the zoning officer receives no written objections to the requested variance within thirty (30) calendar days from the date of notification. Should written objection be received by the zoning officer or if the zoning officer cannot make the required determinations of Sec. 19-45 (c), the application shall be considered a variance request, which may only be granted by the zoning board of review through the standard procedures for variances in Chapter 19, Zoning.

5. Transmit all applications to the zoning board of review, department of planning and urban development, and planning board as specified in this chapter;

6. Prepare the calendar of the zoning board of review in compliance with the board's adopted rules of procedure, and include notice of any modifications granted on the agendas of the zoning board of review;

7. Keep records on compliance of uses of land;

8. Inspect suspected violations and issue violation notices in cooperation with the law department.

SECTION III. Section 19-45 entitled “Variances—Findings required” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, is amended by adding thereto the following:

(c) **Modifications Permitted by Zoning Officer.** The zoning officer shall have authority to administratively approve modifications from

the literal dimensional requirements of Sec. 19—145 in the instance of the construction, alteration, or structural modification of a structure, except for maximum height of building (story and feet), provided the deviation is no more ten percent (10%). Within ten (10) days of the receipt of a request for a modification, the zoning officer shall make a decision as to the suitability of the requested modification based on the following determinations:

- 1. The modification requested is reasonably necessary for the full enjoyment of the permitted use;**
- 2. If the modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;**
- 3. The modification requested is in harmony with the purposes and intent of the comprehensive plan and zoning ordinance; and**
- 4. The modification does not require a variance of a flood hazard requirement.**

Upon an affirmative determination, the zoning officer shall notify, by registered or certified mail, all property owners abutting the property which is the subject of the modification request and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of general circulation within the city or town that the modification will be granted unless written objection is received within thirty (30) days of the public notice. If written objection is received within thirty (30) days, the request for a modification shall be denied and shall be considered a variance request, which may only be granted by the zoning board of review through the standard procedures for variances in Chapter 19, Zoning. The zoning officer

shall keep public records of all requests for modifications, and of findings, determinations, and any objections received. Costs of any notice required under this subsection shall be borne by the applicant requesting the modification.

SECTION IV. Section 19-95 entitled “Districts designated” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, is amended by adding thereto the following:

(e) The C--2* Neighborhood Business District is intended to permit small-scale retail, service and office uses designed to serve adjacent residential neighborhoods and structures shall be no larger than 5,000 square feet in gross floor area.

SECTION V. Section 19-98 entitled “Schedule of use regulations.” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Zoning” is amended by adding thereto the following:

[Note: All other language in this section shall remain unchanged.]

[Note: (e) shall appear in the use schedule below (c) and (d).]

(e) The C—2 Neighborhood Business District is intended to permit small-scale retail, service and office uses designed to serve adjacent residential neighborhoods and structures shall be no larger than 5,000 square feet in gross floor area.

SECTION VI. Section 19-171 entitled “Accessory uses” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Zoning” is amended by adding thereto the following:

n. Portable storage containers* may be placed in a residential district for up to thirty (30) calendar days. The building official may permit the placement of a portable storage container for more than thirty (30) days provided that the property owner has a valid building permit for construction, reconstruction, alteration or remodeling of the structure or due to extenuating circumstances such as hurricane, fire or flood. A portable storage container* may not be used as an accessory structure to a principal use and further shall not be permitted for use as a detached permanent storage building, utility building workshop, hobby shop and other similar purposes.

SECTION VII. Section 19-284 entitled “Off street parking spaced required” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Zoning” is amended by adding thereto the following:

[Note: This is a housekeeping change consisting of adding (a) and (b) to the second column "Spaces Required". There are no other proposed changes to this section.]

(a) In calculating the total number of required spaces, all numbers should be rounded off to the nearest whole number. The following numbers or amounts of off-street parking space or area shall be required for the listed uses in this section according to the following

schedule:

Use Spaces Required (Note: GFA is Gross Floor Area)

(1) Dwelling:

(a) One-family and two-family

(b) Three-family (a) Two spaces for each household or dwelling unit

(b) One and one-third per dwelling unit

(2) Dwelling, multi-family and elderly housing: (a) Two spaces for each household or dwelling unit, plus one space for each bedroom in excess of two bedrooms

(b) One-half space for each dwelling unit, plus one space for each employee

(a) Dwelling, multi-family

(b) Dwelling, elderly housing (publicly assisted)

SECTION VIII. The definition of “Parking structure” of Section 19-471 entitled “Definitions” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Zoning” is amended to read as follows:

Parking structure. A structure or portion of a structure of one or more levels or floors associated with a permitted or conditional use and used exclusively for the parking of vehicles and which may

be-totally below grade (as in an underground garage) or either partially or totally above grade with those levels being either open or enclosed.

SECTION IX. Section 19-481 entitled “Schedule of use regulations” of Chapter 19 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Zoning” is amended to read as follows:

[Note: Please see attached schedule with proposed changes.]

SECTION X. This ordinance shall take effect upon passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Planning Department)

Public Comments

Motion_____By_____2nd_____
Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

ORDINANCES - BUDGET

1. The following is an ordinance appropriating \$144,210,102 for the support of the City Government for the Fiscal year ending October 31, 2009. (Advertised Providence Journal – September 17, 2008)

**AN ORDINANCE APPROPRIATING \$144,210,102 FOR
THE SUPPORT OF THE CITY GOVERNMENT FOR THE
FISCAL YEAR ENDING OCTOBER 31, 2009**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

**SECTION I. The receipts for the fiscal year ending October 31, 2009
have been established to amount to \$144,210,102 made up as follows:**

RECEIPTS

Beginning Balance \$2,777,200.00
Sale of City Property Reserve \$220,000.00
General Property Tax \$79,052,800.00
Licenses and Permits \$1,431,289.00
Rescue Fee Transfer \$500,000.00
Smoke Detector Fee Transfer \$100,000.00
Vehicle Detail Fee Transfer \$350,000.00
Recycling Transfer \$95,000.00
Fines, Forfeits, Penalties \$45,000.00
Revenue from Use of Money & Property \$350,000.00
Revenue from Other Agencies \$10,261,300.00
Charges for Current Services \$755,000.00
Revenue from City Agencies \$240,000.00
Revenue Water Department \$9,567,166.00
Revenue Wastewater Department

Sewer Use Charge \$7,298,702.00

Other Revenue \$797,500.00

Revenue School Department

Local Sources \$2,317,026.00

State Sources \$28,052,119.00

TOTAL RECEIPTS \$144,210,102.00

SECTION II. To defray the expenses of the City of East Providence for the fiscal year commencing November 1, 2008 and ending October 31, 2009, the sum of money, or so much thereof as are authorized by law indicated in the accompanying schedule, are hereby appropriated for the objects and purposes, and in the amounts expressed therein, provided that payments thereunder shall be subject to the provisions of the City Charter of the City of East Providence and also subject to the provisions of said City Charter relative to the manner and form of expenditures of money set forth in said Charter from the City Treasury.

SECTION III. All monies appropriated are to be expended by the various departments in the manner and form approved by the Director of Finance.

SECTION IV. The payment to the School Fund of the following estimated receipts, included in the appropriation of \$73,894,231 for the support of the public schools for the City of East Providence fiscal year 2008-2009, shall be increased or decreased to conform

with the actual amounts received from such sources during the fiscal year 2008-2009 except the City appropriation of property tax.

REVENUE-SCHOOL DEPARTMENT

Local Sources \$2,317,026.00

State Sources \$28,052,119.00

State Video Slot \$300,000.00

City Appropriation of Property Tax \$42,725,086.00

R.I. Meals Tax Designated for Deficit Reduction \$500,000.00

TOTAL \$73,894,231.00

SECTION V. The purpose of this ordinance is to adopt the Budget for the fiscal year 2008-2009 which begins November 1, 2008 and ends October 31, 2009 as prepared and submitted by the City Manager, and to implement the recommendations as set forth in the City Manager's Budget Message by the approval of said recommendations as contained herein, or by other ordinances or resolutions of the City Council; all in accordance with the provisions of said Article.

SECTION VI. This ordinance shall take effect upon its passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

**LEGISLATIVE, JUDICIAL AND GENERAL ADMINISTRATIVE
ACTIVITIES**

CITY COUNCIL

Personnel Services & Fringe Benefits 35,174.00

Supply and Service 10,300.00

45,474.00

CITY MANAGER

Personnel Services & Fringe Benefits 302,810.00

Supply and Service 26,500.00

Equipment and Capital Outlay 1,500.00

330,810.00

SENIOR CENTER

Personnel Services & Fringe Benefits 352,343.00

Supply and Service 23,300.00

Equipment and Capital Outlay 400.00

376,043.00

INFORMATION TECHNOLOGY

Personnel Services & Fringe Benefits 344,328.00

Supply and Service 149,320.00

Equipment & Capital Outlay 40,000.00

533,648.00

CITY CLERK

Personnel Services & Fringe Benefits 469,823.00

Supply and Service 140,000.00

609,823.00

FINANCE-DIRECTOR

Personnel Services and Fringe Benefits 150,483.00

Supply and Service 2,100.00

152,583.00

FINANCE-CONTROL AND ACCOUNTS

Personnel Services and Fringe Benefits 313,795.00

Supply and Service 5,575.00

319,370.00

FINANCE-TREASURY-MIS

Personnel Services and Fringe Benefits 90,940.00

Supply and Service 54,100.00

145,040.00

FINANCE-TREASURY DIVISION

Personnel Services and Fringe Benefits 554,701.00

Supply and Service 53,369.00

Equipment and Capital Outlay 2,500.00

610,570.00

FINANCE-PURCHASING DIVISION

Personnel Services & Fringe Benefits 160,947.00

Supply and Service 16,927.00

Equipment and Capital Outlay 500.00

178,374.00

FINANCE-ASSESSMENT DIVISION

Personnel Services and Fringe Benefits 468,996.00

Supply and Service 9,850.00

Equipment and Capital Outlay 500.00

479,346.00

PLANNING

Personnel Services and Fringe Benefits 666,034.00

Supply and Service 23,266.00

Equipment and Capital Outlay 1,700.00

691,000.00

HUMAN RESOURCES & SERVICE-PERSONNEL & E.M.

Personnel Services and Fringe Benefits 488,928.00

Supply and Service 15,700.00

Equipment and Capital Outlay 500.00

505,128.00

HUMAN RESOURCES & SERVICE-AFFIRMATIVE ACTION

Personnel Services and Fringe Benefits 104,333.00

Supply and Service 3,550.00

Equipment and Capital Outlay 1,000.00

108,883.00

LAW DEPARTMENT

Personnel Services and Fringe Benefits 423,448.00

Supply and Service 10,300.00

Equipment and Capital Outlay 1,000.00

434,748.00

CANVASSING AUTHORITY

Personnel Services and Fringe Benefits 241,669.00

Supply and Service 18,250.00

259,919.00

PUBLIC LIBRARIES

Personnel Services and Fringe Benefits 1,711,422.00

Supply and Service 128,800.00

Equipment and Capital Outlay 2,000.00

Debt Service 232,842.00

2,075,064.00

PUBLIC SAFETY-POLICE

Personnel Services and Fringe Benefits 11,128,914.00

Supply and Service 1,044,829.00

Equipment and Capital Outlay 29,000.00

12,202,743.00

PUBLIC SAFETY-FIRE

Personnel Services and Fringe Benefits 11,654,400.00

Supply and Service 1,044,829.00

Equipment and Capital Outlay 29,000.00

12,509,250.00

PUBLIC WORKS-ANIMAL SHELTER

Personnel Services and Fringe Benefits 226,829.00

Supply and Service 35,700.00

262,529.00

PUBLIC WORKS-BUILDINGS DIVISION

Personnel Services and Fringe Benefits 898,943.00

Supply and Service 577,739.00

1,476,682.00

PUBLIC WORKS-BUILDING INSPECTION

Personnel Services and Fringe Benefits 638,327.00

Supply and Service 34,300.00

Equipment and Capital Outlay 7,200.00

679,827.00

PUBLIC WORKS-DIRECTOR

Personnel Services and Fringe Benefits 207,077.00

Supply and Service 2,600.00

209,677.00

PUBLIC WORKS-ENGINEERING

Personnel Services and Fringe Benefits 614,789.00

Supply and Service 22,504.00

Equipment and Capital Outlay 2,200.00

639,493.00

PUBLIC WORKS-HIGHWAY

Personnel Services and Fringe Benefits 2,295,301.00

Supply and Service 493,799.00

Equipment and Capital Outlay 10,000.00

2,799,100.00

PUBLIC WORKS-CENTRAL GARAGE

Personnel Services and Fringe Benefits 744,514.00

Supply and Service 81,134.00

Equipment and Capital Outlay 1,700.00

827,348.00

PUBLIC WORKS-STREET LIGHTS

Supply and Service 600,000.00

PUBLIC WORKS-WASTEWATER FACILITIES PLANT

Personnel Services and Fringe Benefits 2,033,150.00

Supply and Service 1,496,582.00

Debt Service 205,412.00

Equipment and Capital Outlay 1,162,000.00

4,897,144.00

PUBLIC WORKS-WASTEWATER FACILITIES-COLLECTION

Personnel Services and Fringe Benefits 154,933.00

Supply and Service 2,601,075.00

Debt Service 333,050.00

Equipment and Capital Outlay 110,000.00

3,199,058.00

PUBLIC WORKS-REFUSE DISPOSAL

Personnel Services and Fringe Benefits 2,825,084.00

Supply and Service 29,700.00

2,854,784.00

PUBLIC WORKS-WATER

Personnel Services and Fringe Benefits 2,135,061.00

Supply and Service 3,733,144.00

Equipment and Capital Outlay 3,492,661.00

Debt Service 206,300.00

9,567,166.00

RECREATION

Personnel Services and Fringe Benefits 906,877.00

Supply and Service 146,000.00

Debt Service 52,888.00

Equipment and Capital Outlay 10,000.00

1,115,765.00

RECREATION-PARKS

Personnel Services and Fringe Benefits 1,168,739.00

Supply and Service 276,382.00

Equipment and Capital Outlay 26,700.00

1,471,821.00

MISCELLANEOUS

Retiree Benefits 1,585,425.00

Interest on Tax Notes 470,000.00

General Audit 29,000.00

Judgment & Claims 150,000.00

Mental Health 60,000.00

Bond Principal 681,500.00

Bond Interest 458,342.00

Insurance (Public Liability) 675,000.00

Unemployment Compensation 34,000.00

Professional Services 140,000.00

Membership Fees 24,000.00

Computer Lease Purchase 50,000.00

Self-Help 30,000.00

Master Lease 642,200.00

Capital Equipment 56,015.00

Minimum Standards 40,000.00

Other Miscellaneous 22,500.00

5,147,982.00

CONTINGENCY FUND 30,000.00

DEBT SERVICE FUND 1,969,679.00

SCHOOL FUND 73,394,231.00

SCHOOL DEFICIT FUND 500,000.00

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

VII. CONTINUED BUSINESS

VIII. NEW BUSINESS

A. CITY MANAGER’S REPORT

1. EAST PROVIDENCE PROFESSIONAL, MANAGERIAL AND TECHNICAL EMPLOYEES’ ASSOCIATION COLLECTIVE BARGAINING NEGOTIATIONS

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

2. RECEIVE THE PROPOSED FY 2008 – 2009 SCHOOL BUDGET

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

B. REPORTS OF OTHER CITY OFFICIALS

1. CLAIMS COMMITTEE (by William J. Conley, Jr. – City Solicitor)

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

2. RENEWAL OF ANNUAL LICENSES (by Virginia B. Nunes, City Clerk)

Requesting authorization be granted to renew subject licenses, excluding alcoholic beverage licenses, for year commencing December 1, 2008, upon application by licensee and subject to approval by Chief of Police and, as required by Health inspector and other City Officials; and requesting also to be advised of any licenses to be deferred or with held from the renewal process.

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

3. PROPOSED DONATION OF LAND TO THE CITY OF EAST PROVIDENCE (by Jeanne M. Boyle – Director of Planning) (Recommendation of Planning Board)

Applicant/Owner: Patrick T. Conley

Street Address of Property: 0 ZZ State Line

Map 911, Block 1, Parcel 3

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

C. INTRODUCTION OF ORDINANCES (If given First Passage, can be referred to the next regular Council Meeting to be held on October 21, 2008 for a public hearing and consideration of final passage).

1. The following is an ordinance ordering the assessment and collection of property tax on the ratable real estate, tangible personal property, and an excise tax on registered motor vehicles and trailers.

**AN ORDINANCE ORDERING THE ASSESSMENT AND COLLECTION OF
PROPERTY TAX ON THE RATABLE REAL ESTATE, TANGIBLE PERSONAL
PROPERTY AND AN EXCISE TAX ON REGISTERED MOTOR VEHICLES AND TRAILERS.**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. That the City Council of the City of East Providence hereby orders the assessment and collection of a tax on ratable real

estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum not more than Eighty-five Million Four Hundred Twenty-five Thousand (\$85,425,000) Dollars nor less than Eighty-four Million Three Hundred Twenty-five Thousand (\$84,325,000) Dollars. Said tax is for ordinary expenses, for the payment of interest and indebtedness, in whole or in part, of said city, and for other purposes authorized by law.

The Tax Assessor shall assess and apportion said tax on the inhabitants and ratable property of said city as of the 31st day of December, 2008 at twelve o'clock Eastern Standard Time, according to law, and shall on completion of said assessment, date and sign same and shall make out and certify to the City Treasurer of the City of East Providence, who is charged with the duties for the collection of taxes, on or before the 15th day of June, 2009 complete list of the names of the persons taxed and of the total value of all the real estate assessed against each person, and also the amount of registered motor vehicles and trailers assessed against each person, and also the total amount assessed against each person on said real estate, personal estate and registered motor vehicles and trailers, opposite the name of the person or persons assessed. Upon receipt of the certified tax list by the City Treasurer, he shall proceed and collect said tax on the persons and estates liable thereof; said tax shall be due and payable on and between the 1st day of June 2009 and the 1st day of July, 2009 and provided further that if said tangible personal property and real estate taxes are paid in full on or before the 1st day

of July, 2009, a discount of three per centum (3%) of the total taxes on said tangible personal property and real estate shall be granted, and all taxes remaining unpaid on the 1st day of July, 2009 shall carry until collected a penalty at the rate of twelve per centum (12%) per annum from the 1st day of June, 2009 upon said unpaid tax, however, said taxes may be paid in four installments; the first installment of twenty-five per centum (25%) on or before the 1st day of July, 2009, the second installment of twenty-five per centum (25%) on or before the 1st day of September, 2009, the third installment of twenty-five per centum (25%) on or before the 1st day of December, 2009 and the fourth installment of twenty-five per centum (25%) on or before the 1st day of March, 2010.

Each installment of taxes if paid on or before the last day of each installment period successively in order shall be free from any charge of interest.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective unpaid balance period or periods as they occur, then the whole tax or remaining unpaid balance of the taxes as the case may be shall immediately become due and payable and carry until collected a penalty at the rate of twelve per centum, (12%) per annum.

The City Treasurer shall, by advertisement in the public newspaper having circulation in the City of East Providence, notify all persons

assessed to pay their respective taxes at his office on and between the said 1st day of June, and the 1st day of July, 2009 both days inclusive; said City Treasurer setting forth the hours during which his office shall remain open to receive said taxes.

SECTION II. That any of said taxes not paid on or before the 1st day of March, 2010 shall forthwith be collected by levy upon the sale of real estate upon which it is assessed and by that or other due process of law in case of assessment upon personal property.

SECTION III. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

2. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of taxes.

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO BORROW FUNDS IN ANTICIPATION OF TAXES.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2009 such sums of money in anticipation of the property taxes of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any tax anticipation notes of a prior year to the extent permitted by law.

SECTION II. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

3. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of revenue.

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO BORROW FUNDS IN ANTICIPATION OF REVENUE.**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY

ORDAINS:

SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2009 such sums of money in anticipation of the sewer use fee revenue of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any revenue anticipation notes of a prior year to the extent permitted by law.

SECTION II. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)

Motion_____By_____2nd_____
Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

4. The following is an ordinance amendment regarding Water Consumption Portion Sewer Charge.

**AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED “UTILITIES.”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

SECTION I. Subsection (c) of Sec. 17-183 entitled “Charges to be based upon water consumption; rate” of Chapter 17 of the ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities” is amended to read as follows:

(c) The water consumption portion of the sewer charge shall be at a rate of \$4.00 4.40 per hundred cubic feet of water used based upon the actual quarterly or monthly meter reading of water consumption less an annual exemption of 3,500 cubic feet. Such exemption shall be prorated quarterly or monthly for users of city water who are billed on a quarterly or monthly basis.

SECTION II. This ordinance shall take effect November 1, 2008 and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (Requested by: Director of Finance)

Motion_____By_____2nd_____
Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

5. The following is an ordinance amendment regarding Water Rates.

AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE

**REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED “UTILITIES.”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

**SECTION I. Subsection (a) of Sec. 17-36 entitled “Water Rates.” of
Article II entitled “Water” of Chapter 17 of the Revised Ordinances of
the City of East Providence, Rhode Island, 1998, as amended, entitled
“Utilities,” is amended to read as follows:**

**(a) The water rates for water furnished by the city to the consumer
and measured by meter shall be billed at \$2.45 2.85 per 100 cubic feet
for all consumers.**

**SECTION II. This ordinance shall take effect upon its second passage
and all ordinances or parts of ordinances inconsistent herewith are
hereby repealed. (Requested by: Director of Finance)**

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

D. COUNCIL MEMBERS

1. CONTRACTS (by Mayor Ramos)

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

2. SPECIAL JOINT MEETING WITH SCHOOL COMMITTEE

by Councilman Cusack)

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

E. COMMUNICATIONS

1. Thomas DelSanto, 27 Becker Avenue (02915) requesting to address the Council regarding sidewalk signs.

2. Frank Medeiros, Bagel Zone, Waterman Avenue (02914) and Clint Layman, Bagel Break and Comp., Pawtucket Avenue (02914)) requesting to address the Council regarding Signage Violations.

IX. ADJOURNMENT

Motion_____By_____2nd_____